

APPENDIX

Revenue Act of 1942, c. 619, 56 Stat. 798:

SEC. 139. COMPENSATION FOR SERVICES RENDERED FOR A PERIOD OF THIRTY-SIX MONTHS OR MORE.

(a) Section 107 is amended to read as follows:

“SEC. 107. COMPENSATION FOR SERVICES RENDERED FOR A PERIOD OF THIRTY-SIX MONTHS OR MORE.

“(a) *Personal Services*.—If at least 80 per centum of the total compensation for personal services covering a period of thirty-six calendar months or more (from the beginning to the completion of such services) is received or accrued in one taxable year by an individual or a partnership, the tax attributable to any part thereof which is included in the gross income of any individual shall not be greater than the aggregate of the taxes attributable to such part had it been included in the gross income of such individual ratably over that part of the period which precedes the date of such receipt or accrual.

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(b) The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1940, but with respect to a taxable year beginning after December 31, 1940, and not beginning after December 31, 1941, the period specified in such subsection shall be sixty months in

lieu of thirty-six months, and the percentage specified in such subsection shall be 75 per centum in lieu of 80 per centum. (26 U. S. C. 1940 ed., Supp. IV, Sec. 107.)

Revised Statutes of New Jersey (Cum. Supp.):

ARTICLE 1. IN GENERAL

3:11-1. *Corpus commissions in general.*—Allowance of corpus commissions to executors, administrators, administrators with the will annexed, guardians and trustees under a will, shall be made with reference to their actual pains, trouble and risk in settling the estate, rather than in respect to the quantum of the estate.

ARTICLE 2. IN PREROGATIVE AND ORPHANS' COURT

3:11-2. *Rates.*—On the settlement of accounts of executors, administrators, administrators with the will annexed, guardians, and trustees under a will, accounting in the prerogative or orphans' court, their commissions over and above their actual expenses shall be computed upon the following rates:

On all income that comes into their hands five per centum, and such executors, administrators, administrators with the will annexed, guardians, and trustees under a will may take such income commissions as of the time or when the income was or is received by them without allowance thereof by the court.

On corpus where the corpus receipts do not exceed fifty thousand dollars, seven per centum on the first one thousand dollars thereof, five per centum on the next nine thousand dollars thereof, four per centum on the next ten thousand dollars

thereof, and three per centum on the excess.

Where the corpus receipts exceed fifty thousand dollars, the court before which the account shall be presented for settlement and allowance shall determine the corpus commissions of executors, administrators, administrators with the will annexed, guardians, and trustees under a will, on the intermediate or final settlement of their accounts according to the actual services rendered, and the commissions on corpus, shall not exceed five per centum on all corpus which comes into their hands.

